

Dudley Metropolitan Borough Council

Health & Safety Policy



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Dudley Metropolitan Borough

Health and Safety at Work, etc. Act 1974

Statement of Corporate Policy.

Dudley Metropolitan Borough Council attaches the greatest importance to the Health, Safety and Wellbeing of its employees, considering each to be an essential responsibility of good management.

The Council is proud of the service that we provide to the Borough of Dudley. We recognise that our continued success is dependent on our employees with whom we share our vision of making sure that local people get the best possible quality public services and are given every opportunity to realise their potential.

To deliver our vision we will ensure that the Health and Safety of our employees and those affected by our actions are treated with the same degree of importance as all other core Council objectives.

The Council will strive to continually reduce the risks of injury and ill health to our employees while maintaining a measured and sensible approach to the management of risk and, as a minimum standard, compliance with the law.

To ensure our focus on improvement, we will agree and publish Health, Safety and Wellbeing goals and will regularly review and communicate our performance against them. We will ensure that the goals we set are achievable and deliver the results to make us leaders in Health, Safety and Wellbeing performance, not only within local government, but also within the wider business environment.

The Elected Members of Dudley Council fully support the Corporate Health and Safety Policy (the Policy), its Procedures and the managers who implement it.



Cllr. Patrick Harley
Leader of the Council



Kevin O'Keefe
Chief Executive

Dated: March 2020

1.0 Legislative Requirements of Health and Safety

The Health and Safety at Work Act, etc. 1974 and other specific legislation places general Health and Safety duties on the Council as an employer. Specifically, under the Management of Health and Safety at Work Regulations 1999 there is a duty to make suitable and sufficient assessments of the risk to the Health and Safety of employees and other persons arising out of or in connection with any of the Council's activities. This obligation will be discharged through the Council's Directorate management system.

In order to carry out its responsibilities, the Council will make effective arrangements to provide, so far as is reasonably practicable:

- safe and healthy systems of work,
- a safe and healthy environment,
- safe and healthy places of work and access thereto,
- safe plant, machinery and equipment,
- safe methods for the handling, use and storage of materials and substances along with safe disposal.
- sufficient information, instruction, training and supervision to enable all employees to identify and deal with hazards at work and contribute positively to their own safety and health.
- suitable and sufficient welfare facilities.

2.0 Organisational Arrangements

Introduction

Under the Health and Safety at Work, etc. Act 1974 and other specific legislation the Council, its managers and employees have legal obligations placed upon them with regards to Health, Safety and Welfare of persons at work and the protection of other persons against risks to their Health and Safety in connection with Council activities.

Responsibilities within this Policy are designed to enable the Council to achieve and maintain suitable standards for Health and Safety, and to establish accountability within its management structure for the Council's Health and Safety performance.

2.1 The Council's Responsibility for Health and Safety

The Council has overall responsibility for the Health, Safety and Welfare of its employees, service users and members of the public who may be affected by any of the Council's activities. The Council also has responsibility for the actions of Contractors or Volunteers undertaking work for it or on its behalf.

The Council:

- (i) will consult with its employees on measures for promoting Health, Safety and Wellbeing at work and has set up Health and Safety Committees to ensure lines of communication. The Council will also encourage the appointment of Safety Representatives in accordance with the requirements of the Safety Representatives and Safety Committee Regulations 1977.
- (ii) where there are no Safety Representatives appointed under the Safety Representatives Committee Regulations, will meet its duty to consult with its employees under the Health and Safety (Consultation with Employees) Regulations 1996.
- (iii) requires that management at all levels will set the example in their attitudes and actions to safe and healthy working. Management will actively deal with areas of poor practice and non-compliance, maintaining a constant and continuing interest by ensuring that the appropriate standards are correctly understood and applied.
- (iv) will ensure it has suitable Health Surveillance systems and sufficient competent Health and Safety assistance available to ensure the Council meets its statutory requirements.
- (v) will ensure that all employees are sufficiently competent to undertake their duties or are subject to a development plan to ensure the necessary skills, knowledge, training and experience are acquired.
- (vi) expects all its employees to co-operate and to conduct Council business in accordance with the Health and Safety requirements affecting the Authority.
- (vii) will through its management structure make a copy of this statement available to all employees. It will be reviewed, added to, or modified from time to time and supplemented in appropriate cases by further documents relating to the work of Directorates or groups of workers.
- (viii) will through its management structure review/revise its Corporate Health and Safety Policy and Procedures in line with legislation, the risk assessment process or the business need.
- (ix) will ensure that appropriate planning and arrangements are in place to effectively manage major emergency situations.

- (x) ensure that adequate resources are available to enable the effective management of Health and Safety based upon the risk profile in each area of its operations.

2.2 Elected Members' Responsibilities

Decisions made by Elected Members have a major influence on Council employees and the local population for the services and facilities the Council provides.

Elected Members are not responsible for the day to day management of the services provided; this rests with the officers in charge of service provision. However, Elected Members provide the Council with leadership, direction and strategic decisions.

Therefore, decisions made by Elected Members can and do affect the way Health and Safety is managed. It is essential therefore that Elected Members are aware of their Health and Safety responsibilities when formulating Budgets and Policy decisions. To facilitate this there is access for members to Elected Members Health and Safety briefings.

Each report to Council, Cabinet and Committees includes a section designed to identify and inform Elected Members on the health, safety and wellbeing implications of proposals being presented within the report.

2.3 Chief Executive's Responsibilities

To meet its responsibilities, the Council places the overall executive responsibility for its Health and Safety performance with the Chief Executive who will:

- (i) take an active interest in the management of Health and Safety and the deliverance of the Policy
- (ii) ensure that there is an effective Policy in place for Health and Safety matters, supported as appropriate by effective procedures
- (iii) ensure that sufficient funds are available to Directorates to adequately manage their Health and Safety risks
- (iv) represent the interests of the Council with regulatory enforcement bodies on matters affecting the legal position of the Council
- (v) receive an Annual Health and Safety Report from the Corporate Health and Safety Manager on the performance of the Council and take account of its findings
- (vi) ensure that necessary resources are made available for the Policy and its Procedures to be carried out effectively
- (vii) ensure that Senior Executive Board is kept up to date with issues from the Corporate Health and Safety Management Group

- (viii) ensure that Health and Safety risk management issues are properly addressed by the Board and will monitor the performance of Directorates against set Health and Safety Plans
- (ix) ensure that Senior Executive Board is regularly updated on the implications arising from new Health and Safety legislation, Codes of Practice and their application to the various activities of the Council
- (xi) be responsible for advising Cabinet Members on Health and Safety matters.

2.4 Deputy Chief Executive's Responsibilities

The above detailed responsibilities of the Chief Executive shall pass to the Deputy Chief Executive in the event of the Chief Executive not being in a position to exercise these responsibilities.

2.5 Function of Senior Executive Board

Senior Executive Board accepts formally its collective role in providing Health and Safety leadership in the organisation and recognises that strong leadership is vital in delivering effective Health and Safety risk control. Therefore:

- (i) the Board commits to continuous improvement to Health and Safety performance and to monitoring how the Council's Procedures will deliver this
- (ii) each member of Senior Executive Board accepts their individual role on the Board for providing Health and Safety leadership to the Council
- (iii) the Board will ensure that all Board decisions reflect its Health and Safety intentions, as shown in the Health and Safety Policy Statement
- (iv) the Board will periodically monitor the Health, Safety and Occupational Health performance of the Council through its Directors
- (v) the Board will give strategic direction, on the advice of the Corporate Health and Safety Manager, to Health and Safety issues and the development of a positive Health and Safety culture where this extends beyond (ix) below
- (vi) the Board recognises its role in engaging the active participation of its employees and stakeholders in improving Health and Safety
- (vii) the Board will ensure that it is kept informed of, and alerted to, relevant Health and Safety risk management issues
- (viii) the Board will set realistic goals for the Council's Health and Safety performance, by agreeing a Strategic Plan for Health and Safety
- (ix) The Board will delegate authority to Corporate Health & Safety Management Group to oversee and set the strategic direction of occupational health & safety and wellbeing across the Council.

2.6 Directors' Responsibilities

Directors will, within their area of control:

- (i) be directly responsible to the Chief Executive or Deputy Chief Executive (as appropriate within the governance structure) for their Directorate's Health and Safety organisational arrangements and working procedures
- (ii) be directly responsible for ensuring, within their Directorate, that they adhere to Corporate Health and Safety Policy, including organisational arrangements, and that along with Corporate Policies and Procedures, these are brought to the attention of all employees and any other person to whom they may apply
- (iii) ensure that the responsibilities and duties relating to Health and Safety are properly assigned, accepted and understood
- (iv) ensure, where identified through risk assessment, that required Health Surveillance is undertaken
- (v) ensure sufficient competent Health and Safety assistance is available to meet the Policy requirements
- (vi) in conjunction with the Corporate Health and Safety Plan set their Directorate Health and Safety Plan and ensure adequate resources are available for the effective management of Health and Safety based upon the risk profile of their Directorate, including the carrying out, monitoring and reviewing of the Directorate's Health and Safety requirements
- (vii) ensure that systems are in place within their Directorate to ensure all employees are sufficiently competent to undertake their duties or are subject to a Development Plan to ensure the necessary skills, knowledge, training and experience are acquired
- (viii) actively support all persons to whom Health and Safety responsibilities and duties have been assigned
- (ix) chair their Directorate's Health and Safety Management Group and arrange for a nominated deputy to carry out this function in their absence
- (x) if nominated by the Chief Executive or Deputy Chief Executive (as appropriate within the governance structure), to attend the Corporate Health and Safety Management Group meetings and provide the essential link back to their respective cross-Directorate Management Team
- (xi) ensure that those with specific Health and Safety responsibilities and duties have the necessary competencies for the work they have been delegated
- (xii) ensure that copies of the Council's Health and Safety Policies and Procedural arrangements are made available to all persons who may require them

- (xiii) ensure that the Council's procedure for Contractor selection and management with regard to Health and Safety is observed
- (xiv) ensure that there is co-operation and co-ordination with all other employers involved in their undertaking so as to ensure effective Health and Safety planning and arrangements
- (xv) ensure that they have arrangements in place to deal with serious and imminent danger.

2.7 Heads of Service Responsibilities

Heads of Service within their area of control will:

- i) be directly responsible to their Director for their respective service's Health and Safety organisational arrangements and working procedures
- ii) ensure that the responsibilities and duties relating to Health and Safety are properly assigned, accepted and understood
- iii) undertake periodic reviews within their service areas to monitor adherence to Corporate Health and Safety Policy and Procedures to ensure that they remain effective and up-to-date
- iv) ensure that arrangements are in place for competent people to carry out assessments of Health and Safety risks, and that those assessments are recorded, periodically reviewed and updated
- v) ensure adequate resources are available to enable the Corporate Health and Safety Policy and Procedures requirements to be complied with, and will inform their Director should this be inadequate
- vi) ensure that the Council Health and Safety Policy Statements and safe working procedures relevant to their work are brought to the attention of all persons within their service area
- vii) agree the Health & Safety implications of their service area priorities and objectives with the assistance of the Corporate Health and Safety Team
- viii) ensure that staff are competent to undertake assigned Health and Safety duties and responsibilities
- ix) ensure that systems are in place within the Service so that all employees are sufficiently competent to undertake their duties or are subject to a training and development plan to ensure the necessary skills, knowledge, training and experience are acquired
- x) ensure that training programmes (including induction training) are in place to educate staff about their Health and Safety responsibilities and duties. Ensure those with specific Health and Safety responsibilities and duties have the

necessary competencies for the work they have been delegated. Ensure appropriate records are kept

- xi) actively support all persons to whom Health and Safety responsibilities and duties have been assigned
- xii) ensure, where identified through risk assessment, that required Health Surveillance is undertaken
- xiii) ensure that Council procedures for Contractor selection and management with regard to Health and Safety are observed. Ensure that Contractors co-operate with all other employers involved in their undertaking to ensure effective Health and Safety standards are met. Also ensure appropriate escalation procedures are in place and followed where Contractors are found to be in breach of Health and Safety legislation or Council Policy and Standards
- xiv) ensure that arrangements are in place to deal with serious and imminent danger, and in the event of a serious accident/incident, that the Corporate Health and Safety Team is contacted as soon as possible and their Director is informed
- xv) liaise with managers to ensure that Health & Safety Reports from the HSE, Fire Service or Corporate Health and Safety Team are satisfactorily progressed
- xvi) liaise with the Health and Safety Executive's Inspectors on matters affecting their service area, informing Corporate Health and Safety Team
- xvii) maintain awareness of the implications arising from new and existing Health and Safety legislation, Codes of Practice, Corporate Policies and Procedures and their application, insofar as they relate to their Service
- xviii) promote Health and Safety and set a personal example
- xix) agree and implement appropriate disciplinary procedures where Health and Safety responsibilities have not been carried out
- xxi) include Health and Safety as a standing item at service team management meetings and ensure that Health and Safety is considered alongside any business development needs and opportunities

2.8 Safety and Health Responsibilities of Staff in Supervisory Positions

All staff in supervisory positions are responsible and accountable to senior management for the carrying out of effective Safety and Health matters appropriate to their function. It is recognised that they are in a special position to influence Health and Safety attitudes and firmly encourage active participation by employees under their control.

Staff with supervisory responsibilities must therefore:

- (i) ensure that all persons under their control have been made aware of and understand the Corporate Policy and Procedures and be aware of where to find such copies
- (ii) ensure all employees under their control are sufficiently competent to undertake their duties or are subject to a development plan to ensure the necessary skills, knowledge, training and experience are acquired
- (iii) know and understand their Safety and Health responsibilities and are aware of the location of other relevant Health and Safety documents issued by the Council
- (iv) ensure that the work arrangements conform to all legal and other Health and Safety requirements ensuring adequate protection for both employees and non-employees
- (v) carry out inspections and report to senior management the results of routine inspections of the workplace means of access, plant, tools and equipment, the working environment, fire precautions, welfare arrangements and other matters and in particular, potentially serious hazards which require decisions at a higher level
- (vi) consult with the Council's Health and Safety Officers when matters arise requiring their specialist skills
- (vii) ensure that all persons under their control including temporary/voluntary workers are adequately trained and instructed in their duties and work procedures, and have received sufficient information on fire precautions, first aid arrangements, accident reporting and emergency procedures. This information should be recorded
- (viii) comply fully with the Corporate Procedures for reporting, investigating and reporting accidents and violence at work incidents, taking prompt action to prevent recurrences where the measures come within the person's responsibilities
- (ix) ensure that essential personal protective equipment is readily available, correctly used and maintained
- (x) prepare Health and Safety reports on special matters as required by senior management
- (xi) periodically assess and review Corporate Policies and safe working arrangements to confirm their effectiveness and inform Corporate Health and Safety Team of any shortcomings
- (xii) undertake risk assessments of all the significant risks within their service area to allow the implementation of appropriate risk controls to address the risks identified. These assessments will be recorded in line with relevant Council

Policies and Procedures and will be shared with the people to whom they apply. The risk assessments should be actively monitored to ensure that controls remain effective

2.9 Employees' Responsibilities

All employees have a duty to carry out their work with due regard for the Health and Safety of themselves, other employees, and the general public and to observe Health and Safety requirements relevant to their activities

Employees will:

- (i) co-operate with the Council and its management so as to enable them to carry out their statutory duties and responsibilities effectively
- (ii) report to their supervisor hazards and near miss incidents which could result in injury
- (iii) report all accidents arising from work-related activities from which an injury is sustained or property, plant or equipment is damaged
- (iv) co-operate in the investigation of accidents or incidents with the object of preventing a recurrence and with any statutory duty placed on the Council
- (v) undertake their duties in accordance with their training, instruction and Council Policy
- (vi) use all machinery, equipment, substances and safety devices provided in accordance with training and instruction received
- (vii) attend all training courses and briefing sessions required by their manager and Council Policy
- (viii) have a legal duty to inform their managers if they currently have a medical condition which can affect their ability to perform their work related tasks

3.0 Health and Safety Assistance

Regulation 7 of the Management of Health and Safety at Work Regulations 1999 “requires an employer to appoint competent persons to assist him in undertaking the measures he needs to take to comply with the requirements and prohibitions imposed upon him by or under the relevant statutory prohibitions”

To meet this duty Corporate Health and Safety Team has been appointed.

3.1 Corporate Health and Safety Team

The Corporate Health and Safety Team exists to assist the Council in its entirety with its strategic management of Health and Safety and is part of the Finance and Legal Services Directorate reporting through the Head of Law and Governance to the Director of Finance and Legal Services.

The main responsibilities of the Team are to:

- develop Corporate Policy and Procedures for the Council, and facilitate the implementation of the documents within the Council
- have a roving role to advise Directors and Council managers on Health and Safety issues
- inspect premises/sites, processes as required
- in conjunction with Organisation & Development, develop and deliver Health and Safety training courses
- monitor, audit and review Health and Safety progress across the Council specifically regarding the implementation of Corporate Policy
- liaise with enforcement agencies
- should the need arise, due to risks to life or serious injury, to stop the activity/close the premises – reporting back to the appropriate Director as soon as practicable
- carry out investigation of serious accidents/incidents.

The Corporate Health and Safety Manager will:

- advise the Chief Executive, Deputy Chief Executive and Directors on all matters of Health and Safety which he believes requires their attention
- prepare an Annual Health and Safety Report setting future targets and informing Corporate Health & Safety Management Group and Senior Executive Board of current Health and Safety issues

- recommend the strategic vision and direction as regards Health and Safety for the Council to be ratified by Corporate Health & Safety Group and Senior Executive Board
- be a permanent member of the Corporate Health and Safety Management Group
- manage the Corporate Health and Safety Service.

4.0 Health and Safety Groups

(Refer to Appendix 1 for health & safety governance arrangements).

4.1 Corporate Health and Safety Management Group

Strategic Executive Board has delegated authority to Corporate Health & Safety Management Group to oversee and set the strategic direction of occupational health & safety and wellbeing across the Council.

The Corporate Health and Safety Management Group's overall aim is to enhance the Council's perception of its strategic responsibilities for Health, Safety and Wellbeing at work and to facilitate the operational realisation of those same responsibilities both in employment and in service provision and to advise Directorate and cross-Directorate Management Teams as appropriate on Health, Safety and Wellbeing issues and will:

- be chaired by the Director of Finance & Legal Services on behalf of the Chief Executive
- consist of one nominated Director from each of the groups of Directorates reporting to either the Chief Executive or Deputy Chief Executive (as appropriate within the governance structure), the Corporate Health and Safety Manager and other senior officers of the Council who are necessary for the business of the group to be effective
- have trade union representation drawn on a rotating basis between the major trade unions recognised by the Council for collective bargaining purposes
- meet regularly and at least four times a year.

4.2 Corporate Technical Working Groups

From time to time it will be necessary for the Corporate Health and Safety Team to formulate specialist temporary groups to accommodate specific issues which affect Council activities which will have a defined life until the satisfactory completion of the issue.

In addition to the above, there is a standing Corporate Group covering asbestos, legionella and fire issues (CALF Group) which meets on a quarterly basis.

CALF Group:

- (i) is chaired by the Head of Corporate Landlord Services or nominated deputy
- (ii) consists of qualified Health and Safety Officers, officers representing Corporate Landlord Services, Housing Services and other specialists in the areas covered by the Group as required.
- (iii) meet regularly at least four times a year (or as necessary)
- (iv) helps in Policy/Procedure development
- (v) assists in organisational development
- (vi) aids in the planning of a systematic approach to implementation
- (vii) measures Health and Safety performance against agreed standards
- (viii) undertakes auditing of Health and Safety systems, in relation to that specific Group's work
- (ix) assists in the review of Health and Safety Policy and arrangements insofar as it applies to the subject of asbestos, legionella and fire
- (x) reports to the Corporate Health and Safety Management Group.

4.3 Cross-Directorate Health and Safety Steering Groups

Cross-Directorate Health & Safety Steering Groups (CDHSSGs) will be established for those groups of Directorates reporting directly to the Chief Executive and to the Deputy Chief Executive. The overall aim of these groups is to strategically steer and manage common health & safety issues across Directorates. This is to ensure that Directorates can effectively and proportionately protect people's health and safety by ensuring that risks in their workplaces are effectively and safely controlled.

Each CDHSSG will ensure that a co-ordinated and strategic approach is taken across its Directorates in the management of health and safety, in line with Council Policy and Procedure, and Health & Safety legislation. The Groups will also be the final arbiters, across Directorates they represent, where there is any ambiguity in relation to health and safety where issues are not clear or remain unresolved at a local level.

4.4 Directorate Health and Safety Management Groups

Each Directorate will establish a Directorate Health and Safety Management Group with the overall aim to manage health & safety in the Directorate. This is to ensure that the Directorate can effectively and proportionately protect people's health and safety by ensuring that risks in the Directorate's workplaces are effectively and safely controlled.

Each Group will ensure a co-ordinated approach is taken by the Directorate to the management of health and safety, in line with Council Policy and Procedure, and Health & Safety legislation. Each Group will be responsible for the resolution of health & safety issues which the Service Health & Safety Liaison Groups (SHSLG) operating in the Directorates have been unable to resolve.

Where a Directorate has a low risk profile, it may be served by a Directorate Health & Safety Management Group in combination with another Directorate having a similar risk profile within its Directorate grouping reporting to either the Chief Executive or the Deputy Chief Executive as appropriate. Any such arrangement must be agreed by the Corporate Health & Safety Management Group.

4.5 Service Health and Safety Liaison Groups

Each service area with a high health and safety risk profile within a Directorate will establish a Service Health and Safety Liaison Group. The overall aim of the Group is to promote co-operation amongst all employees in instigating, developing and monitoring the health and safety of employees within the Directorate, and to meet the Council's obligation to consult with its employees. Service areas with lower health and safety risk profiles within a Directorate may be served by a combined Health and Safety Liaison Group. Any such arrangement must be agreed by the Corporate Health & Safety Management Group.

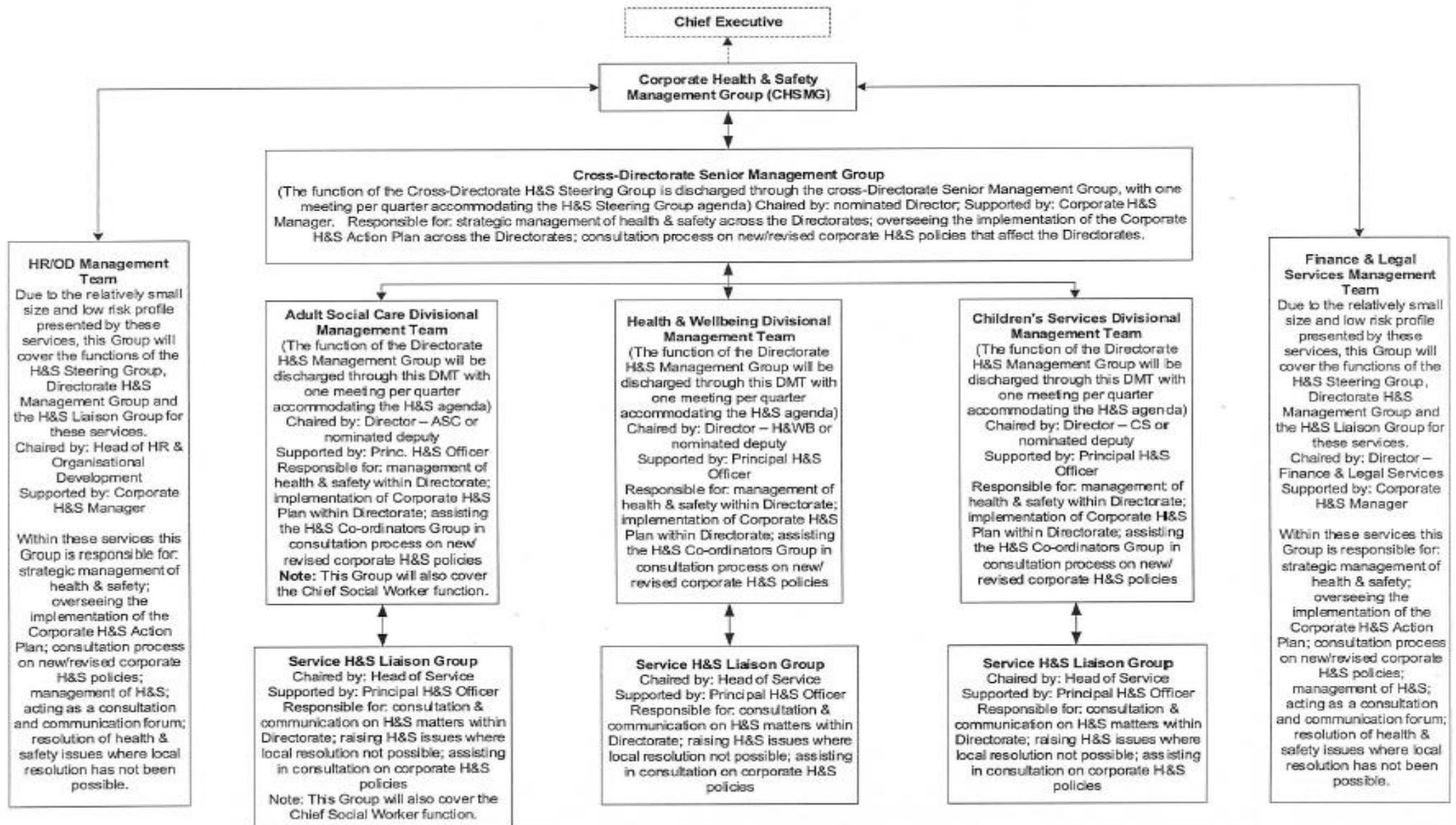
Membership of the Group will include representation from trade unions that have a membership within the service area. Members of the Group should see themselves as employees with common objectives of promoting and maintaining high standards in health & safety at work. They should help to assist in monitoring the effectiveness of the measures taken by the Directorate and recommend improvements to the Directorate Health & Safety Management Group (DHSMG).

5.0 Document Revision History

Revision Number	Date	Amendment	Document Manager	Document Author
00	07-01-15	Creation of Document following changes to L8 Fourth Edition 2013	Simon Reece	Kerry Thomas
01	25-02-15	Amendments following consultation	Simon Reece	Kerry Thomas
02	18-03-15	Amendments following Corporate Health & Safety Management Group	Simon Reece	Kerry Thomas
03	18-06-15	Amendments following Corporate Health & Safety Management Group	Simon Reece	Kerry Thomas
04	10-09-15	Agreement for sign off at Corporate Health & Safety Management Group	Simon Reece	Kerry Thomas
05	07-04-16	Finalised governance structures added for inclusion in policy document	Simon Reece	Simon Reece
06	14-08-18	Re-signing of policy statement by Leader of the Council & Chief Executive	Simon Reece	Simon Reece
07	03-03-20	Adjustments of management structure, responsibilities and governance arrangements following organisational review; re-signing of policy statement by Leader of Council & Chief Executive	Simon Reece	Simon Reece

**Health & Safety governance arrangements
structure charts**

Health & Safety governance arrangements for Directorates reporting directly to Chief Executive



Health & Safety governance arrangements for Directorates reporting to Deputy Chief Executive

